

08/16/2005 17:39

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U.S. DISTRICT COURT

LAW OFFICES
KENNETH D. WASSERMAN

BY FAX: 718-260-2427

P.M.

August 16, 2005

TIME A.M.

Hon. Frederic Block
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Adrian Hurdle, 03 CR 611 (FB)

Dear Judge Block:

At the sentencing on July 20, the Court ruled (at page 8, copy enclosed) that there would be no travel restrictions during the period of Mr. Hurdle's probation and that he could get his passport back. I just received the Judgment, and the Standard Conditions of Supervision, clause 2, is in conflict with the Court's ruling because it states that "the defendant shall not leave the judicial district without permission of the court or probation officer."

Therefore, I respectfully request that the Judgment be amended to accord with the Court's ruling at the sentencing by deleting said clause 2 and inserting as a special condition of supervision that "there shall be no travel restrictions on the defendant while the defendant is on probation."

Prior to receiving the Judgment, Mr. Hurdle had made arrangements to attend a friend's wedding in Barbados on August 20, which would entail leaving for Jamaica on August 18, and returning on August 21 - - and I had written to Probation Officer Javier Enciso about that travel, with a copy to the Court. I am enclosing another copy of that letter, and respectfully request that while the issue of amending the Judgment is being resolved, the Court specifically authorize that trip.

Thank you very much for your consideration of this letter.

Respectfully yours,



Kenneth D. Wasserman

Encls.

cc: Todd Harrison, Assistant United States Attorney (by fax)
Javier Enciso, United States Probation (by fax)

THE INSTANT APPLICATION
TO TRAVEL ON BARBADOS IS GRANTED
THE REQUEST TO AMEND THE
JUDGMENT IS UNDER ADVISEMENT
AT THIS TIME. SO ORDERED.

USDJ

8/16/05

Written Judgment shall best
reflect the record of proceedings that
are intended to provide that
"there shall be no travel
restrictions while the defendant
is on probation, unless if
such is necessary to serve
conditions of release,
supervision, or in
any other case."

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August 12, 2005

Javier Enciso
United States Probation Officer
75 Clinton Street
Brooklyn, NY 11201

Re: United States v. Adrian Hurdle, 03 CR 611 (FB)

Dear Mr. Enciso:

Here is a copy of the sentencing transcript. As I have previously represented to you, at Mr. Hurdle's sentencing proceeding the Court ruled that there would be no travel restrictions during the period of Mr. Hurdle's probation -- please see page 8.

My understanding is that Mr. Hurdle has a wedding to attend in Barbados on Saturday, August 20, and would like to leave for Barbados on August 17.

Based on the Court's order, there should be nothing standing in the way of Mr. Hurdle's travel plans, and I thank you for your kind cooperation in this regard.

Very truly yours,



Kenneth D. Wasserman

Encls.

cc: Hon. Frederic Block (by fax)
AUSA Todd Harrison (by fax)

Proceedings

8

1 THE COURT: You're all set.

2 MR. WASSERMAN: Your Honor, I just want to
3 clarify two things if I may. The government has no
4 objection if the Court would approve that during the
5 period of probation that there be no travel restrictions
6 and he can get his passport back.

7 Previously you had approved his travel overseas
8 and the (inaudible).

9 THE COURT: There is no problem doing that
10 here, I guess. Right?

11 MR. HARRISON: No, Judge.

12 THE COURT: Okay. Fine.

13 Anything else you want to make sure that you
14 have --

15 MR. WASSERMAN: The only other thing I want to
16 clarify for the record, your Honor, just so that it's not
17 a loose end, is that my understanding now is that there
18 is no fine for the defendant.

19 THE COURT: There's no fine. I mean, the money
20 -- yes, good to point that out. I thought I said that.
21 Maybe not. He's not going to be fined because we find
22 that his financial resources should be applied to the
23 restitution. Thank you for your cooperation.

24 Mr. Hurdle, take care of yourself here.

25 MR. WASSERMAN: Your Honor, last thing, can I